

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ZEL NORMAN,

Plaintiff,

Case No. 2:15-cv-00339-JAD-PAL

V.

THE STATE OF NEVADA, et al.

Defendants.

ORDER

(IFP Application – Dkt. #5)

12 This matter is before the court on Plaintiff Zel Norman's Application to Proceed
13 *In Forma Pauperis* (Dkt. #5) pursuant to 28 U.S.C. § 1915. Plaintiff is a prisoner proceeding in
14 this action *pro se*, and he has submitted a Complaint along with the financial affidavit,
15 financial certificate, and inmate trust account statement required by 28 U.S.C. § 1915(a)(2)
16 and Local Rules LSR 1-1 and 1-2. This proceeding was referred to the undersigned
17 pursuant to the provisions of 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rules IB 1-9.

18 Plaintiff's financial affidavit shows that he is unable to prepay fees and costs or give
19 security for them. Accordingly, his request to proceed in forma pauperis will be granted
20 pursuant to 28 U.S.C. § 1915(a). Plaintiff must pay an initial partial filing fee of the greater of
21 twenty percent (20%) of the average monthly deposits or twenty percent of the average monthly
22 balance of his account for the six months immediately preceding the start of this action. *See* 28
23 U.S.C. § 1915(b)(1). Plaintiff's average monthly balance is \$42.33, and his average monthly
24 deposits are \$150.00. Therefore, the Court finds that Plaintiff must pay an initial partial filing
25 fee of \$30.00. Upon receipt of the initial partial filing fee, the Court will screen Plaintiff's
26 Complaint pursuant to 28 U.S.C. § 1915A ("The court shall review, before docketing, if feasible
27 or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a
28 prisoner seeks redress from a government entity or officer or employee of a governmental

1 entity”). Plaintiff is advised that even if this action is dismissed, he must still pay the full filing
2 fee pursuant to 28 U.S.C. § 1915(b)(2).

3 Accordingly,

4 **IT IS ORDERED:**

5 1. Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. #5) is GRANTED.
6 He shall be required to pay an initial partial filing fee in the amount of \$30.00
7 toward the full filing fee of \$350.00.¹ Plaintiff shall have until **August 17, 2015**,
8 to have the \$30.00 initial partial filing fee sent to the Clerk of the Court. Failure
9 to do so may result in a recommendation to the district judge for dismissal of this
10 action. Even if this action is dismissed, the full filing fee must still be paid
11 pursuant to 28 U.S.C. § 1915(b)(2). Upon receipt of the initial partial filing fee,
12 the Court will screen Plaintiff's complaint pursuant to 28 U.S.C. § 1915(a).

13 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
14 prepayment of any additional fees or costs or the giving of security therefor. This
15 Order granting *in forma pauperis* status shall not extend to the service of
16 subpoenas at government expense.

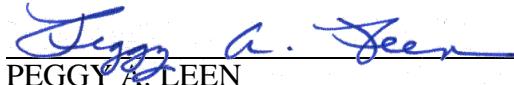
17 3. The Clerk of Court shall provide Plaintiff with two copies of this Order. Plaintiff
18 is ordered to make the necessary arrangements to have one copy of this Order
19 attached to a check in the amount of the initial partial filing fee designated herein.

20 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Northern Nevada Correctional Center
21 shall forward to the Clerk of the United States District Court, District of Nevada,
22 twenty percent (20%) of the preceding month's deposits to Plaintiff's account (in
23 the months that the account exceeds \$10.00) until the full \$350.00 filing fee has
24 been paid for this action. The Clerk of the Court shall send a copy of this Order
25 to the Finance Division of the Clerk's Office and the Accounting Supervisor of
26 the Northern Nevada Correctional Center. If Plaintiff should be transferred, the

27 ¹ Pursuant to the court's Schedule of Fees dated January 1, 2015, the administrative fee of \$50.00 does not apply to
28 persons granted *in forma pauperis* status under 28 U.S.C. § 1915.

1 Accounting Supervisor at Northern Nevada Correctional Center is directed to
2 send a copy of this Order to the new place of incarceration, indicating the amount
3 that Plaintiff has paid towards his filing fee, so that funds may continue to be
4 deducted from Plaintiff's account.

5 Dated this 17th day of July, 2015.

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8 PEGGY A. LEEN
9 UNITED STATES MAGISTRATE JUDGE
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